

DAC \$ #10

DOCKET NO. JJI-43

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Carol Wright et al.

Serial No.: 09/061,568 Group No.: 3738

Filed: April 16, 1998 Examiner: S. Jackson

For: LOCAL DELIVERY OF RAPAMYCIN FOR TREATMENT OF PROLIFERATIVE SEQUELAE ASSOCIATED WITH CANCER PROCEDURES, INCLUDING DELIVERY USING MODIFIED STENT

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on

RECEIVED

JAN 27 2000

OFFICE OF PETITIONS
DEPUTY A/C PATENTS

January 17, 2000

(Date of Deposit)

Paul A. Coletti

Name of applicant, assignee, or Registered Representative

(Signature)

January 17, 2000

(Date of Signature)

Box DAC
Assistant Commissioner for Patents
Washington, D.C. 20231

PETITION FOR REVIVAL OF AN APPLICATION
FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)

1. Applicant petitions for the revival of the above-identified application.
2. Nature of abandonment: (check appropriate box and complete)
 - ☒ In an office communication from the PTO dated December 20, 1999, the undersigned has noted that the above-identified application is being forwarded to the Abandoned Files because applicant's response to the Official Action mailed April 26, 1999 has not been received within the statutory period or any extension requested therefor.
 - ☐ The undersigned has reviewed his records and noted that the response to the Official Action mailed was not timely filed within the statutory period or any extension requested therefor.
3. Response filed:

The proposed response to the Official Action mailed April 26, 1999

- ☒ has been filed on June 10, 1999 (copies enclosed, with postcard receipt by USPTO)

☐ is enclosed herewith.

4. Verified showings from the relevant parties as to the causes of the unavoidable delays are filed herewith.

5. It will be seen from the attached showings that the processing procedures have been carefully reviewed and that steps have been taken to avoid repetition of the events which took place in this case so that a similar error will not be made in the future.

6. Terminal disclaimer:

(☐ application filed before June 8, 1995

or ☐ design application)

Abandonment took place on the following date and:

- ☐ Since this petition is within six months of that date, no terminal disclaimer is required.
- ☐ A terminal disclaimer equivalent to the period of abandonment of the application until the date of this petition is attached.

7. Status of applicant:

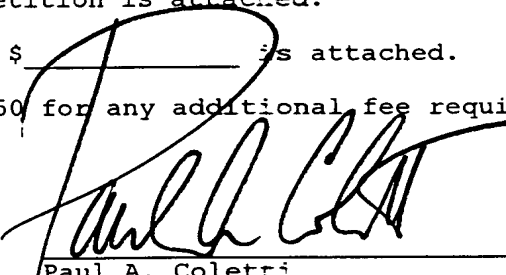
This application is on behalf of

- ☐ small business entity--fee \$55.00
- ☐ verified statement already filed on
- ☐ verified statement attached.
- ☒ other than a small business entity--fee \$110.00

NOTE: The fee is set in 37 CFR 1.17L(1).

8. Fee payment:

- ☒ Charge the petition fee of \$110.00 to Account 10-0750/JJI-43/PAC and for any additional fee required. A duplicate of this petition is attached.
- ☐ A check in the sum of \$ _____ is attached.
- ☒ Charge Account 10-0750 for any additional fee required.


Paul A. Coletti
Reg. No.: 32,019
Attorney for Applicant(s)

JOHNSON & JOHNSON
One Johnson & Johnson Plaza
New Brunswick, NJ 08933
Tel. No.: (732) 524-2815
Date: January 17, 2000